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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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Mark Tillman Lott,	)	Case No 2:16-cv-01586-RMG-MGB
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER AND OPINION</b>
	)	
Dr. Rozanna Tross Psy,	)	
Joshua Tucker,	)	
Cynathia Helff,	)	
Kimberly Pohlchuk,	)	
Holly Scaturro,	)	
Shelia Lindsey,	)	
Versie Bellamy	)	
Defendants.	)	
	)	

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Mark Tillman Lott ("Plaintiff"), is currently in the custody of the Sexually Violent Predator Treatment Program ("SVPTP") of the South Carolina Department of Mental Health, having been civilly committed as a sexually violent predator under the South Carolina Sexually Violent Predator Act, S.C. Code Ann. § 44-48-10 through § 44-48-70. Plaintiff, proceeding *pro se* and *in forma pauperis*, filed this action in May 2016, alleging that Defendants discriminated against him and violated his First Amendment rights. (Dkt. No. 1.) This Court construes Plaintiff's action to be filed under 42 U.S.C. § 1983.

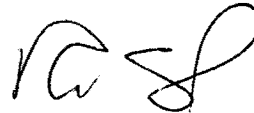
This matter is before the Court on the Report and Recommendation ("R. & R.") of the Magistrate Judge (Dkt. No. 49) to dismiss this action with prejudice for lack of prosecution and for failure to comply with this Court's orders under Rule 41(b) of the Federal Rules of Civil Procedure and the factors outlined in *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982) (per curiam). See *Ballard v. Carlson*, 882 F.2d 93, 95-96 (4th Cir. 1989). The Magistrate has also recommended that Plaintiff's pending motions be denied as moot. (Dkt. Nos. 27, 40.)

No objections to the R. & R. have been filed. While this Court will conduct a *de novo* review of any portion of the R. & R. to which a specific objection is made, it appears Congress did not intend for the district court to review the Magistrate's factual and legal conclusions absent objection by any party. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985). This Court's review of the record indicates that the R. & R. accurately analyzes the facts of this case and the applicable law.

Accordingly, this Court adopts the Magistrate's R. & R. (Dkt. No. 49) as the Order of this Court. Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED WITH PREJUDICE**.

Plaintiff's pending motions (Dkt. Nos. 27, 40) and Defendants' motion for summary judgment (Dkt. No. 36) are **DENIED AS MOOT**.

**AND IT IS SO ORDERED.**



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Richard Mark Gergel  
United States District Court Judge

March 23, 2017  
Charleston, South Carolina